



RESOLUTION No. 19-177

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

APPROVE SUMMARY VACATION (ABANDONMENT) OF A PORTION OF THE PUBLIC UTILITY EASEMENT CENTERED ON THE PROPERTY BOUNDARY BETWEEN LOTS 54 AND 55 OF THE "RE-SUBDIVISION OF THE ALTA SIERRA RANCHES" AS SHOWN IN BOOK 3 OF SUBDIVISIONS AT PAGE 31, ASSESSOR'S PARCEL NUMBERS 026-390-013 & 014 – DISTRICT 2

WHEREAS, the California Streets and Highway Code Section 8333(c) allows the County to summarily vacate or abandon a Public Utility Easement if it is determined to be excess by the easement holder and there are no other public facilities located within the easement; and

WHEREAS, the County of Nevada has a Public Utility Easement as described in that certain Map known as Re-Subdivision of the Alta Sierra Ranches and recorded in Book 3 of Subdivisions at Page 31; and

WHEREAS, the County of Nevada has received a request from the property owners Henry Hester Jr., Trustee of the Henry Hester Jr. Living Trust, to abandon a portion of the 16-foot Public Utility Easement centered on the boundary between his Lots 54 and 55 of the Re-Subdivision of the Alta Sierra Ranches as shown in Book 3 of Subdivisions at Page 31 (Assessor's Parcel Nos. 026-390-013 & 014); and

WHEREAS, the Nevada County Surveyor has reviewed the proposed vacation (abandonment) and finds that this easement is no longer needed for the purpose that it was originally provided, and there are no public utilities located within the easement; and

WHEREAS, the request has been circulated to the Nevada County Sanitation District, the Nevada Irrigation District, the Pacific Gas and Electric Company, and AT&T, and all have consented to the request; and

WHEREAS, the Nevada County Zoning Administrator has reviewed the request and found the vacation (abandonment) of the easement is not in conflict with the Nevada County General Plan.

NOW, THEREFORE, BE IT RESOLVED that the Nevada County Board of Supervisors has reviewed and considered this easement vacation and hereby finds and determines as follows:

1. The above recitals are true and correct.
2. The Public Utility Easement centered on the property boundary between Lots 54 and 55 of the Re-Subdivision of the Alta Sierra Ranches as shown in Book 3 of Subdivisions at Page 31, as shown in the attached Exhibits A and B is hereby determined to be an excess easement and there are no public facilities located within the easement.

3. The Public Utility Easement as described herein can be summarily vacated pursuant to California Code Section 8333(c).

BE IT FURTHER RESOLVED that the Nevada County Board of Supervisors hereby:

1. Summarily vacates and abandons the Public Utility Easement centered on the property boundary between Lots 54 and 55 of the Re-Subdivision of the Alta Sierra Ranches as shown in Book 3 of Subdivisions at Page 31, as shown in the attached Exhibits A and B.
2. Declares that from and after the date that this Resolution is recorded, the subject easement no longer constitutes a legal encumbrance.
3. Directs the Clerk of the Board of Supervisors to record the Resolution of Summary Vacation.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 14th day of May, 2019, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Susan K. Hoek and Richard Anderson.

Noes: None.

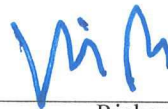
Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 



Richard Anderson, Chair

5/14/2019 cc: Recorder(1)
AC* (hold)

5/16/2019 cc: DPW*
AC*(release)

**EXHIBIT A
HENRY HESTER
EASEMENT TO BE ABANDONED
LEGAL DESCRIPTION**

ALL THAT PORTION OF the sixteen (16) foot wide general public utility easement centered on the lot line between Lots 54 and 55, as said lots are shown and designated on the final map of "Resubdivision of Alta Sierra Ranches" as filed in Book 3 of Subdivisions at Page 31, Nevada County, California, **THE CENTERLINE OF SAID EASEMENT ABANDONMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

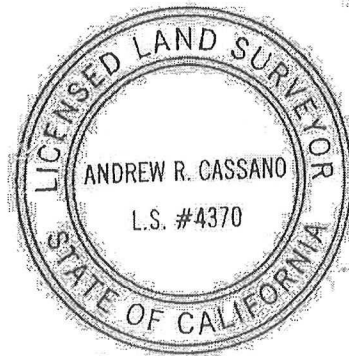
BEGINNING AT A POINT on the property line between said Lots 54 and 55, from which the front, westerly corner common to said lots located on Jaguar County bears South 70°43'06" West 40.00 feet; **THENCE FROM SAID POINT OF BEGINNING** along the centerline of the easement herein abandoned, being said common lot line, North 70°43'06" East 993.15 feet to the end of said abandoned easement centerline, at a point from which the rear, easterly corner bears North 70°43'06" East 8.02 feet.

THIS LEGAL DESCRIPTION was prepared by me based on record information in December 2018.



Andrew R. Cassano, PLS 4370
Professional Land Surveyor
Nevada City Engineering, Inc.

Dated: December 11, 2018



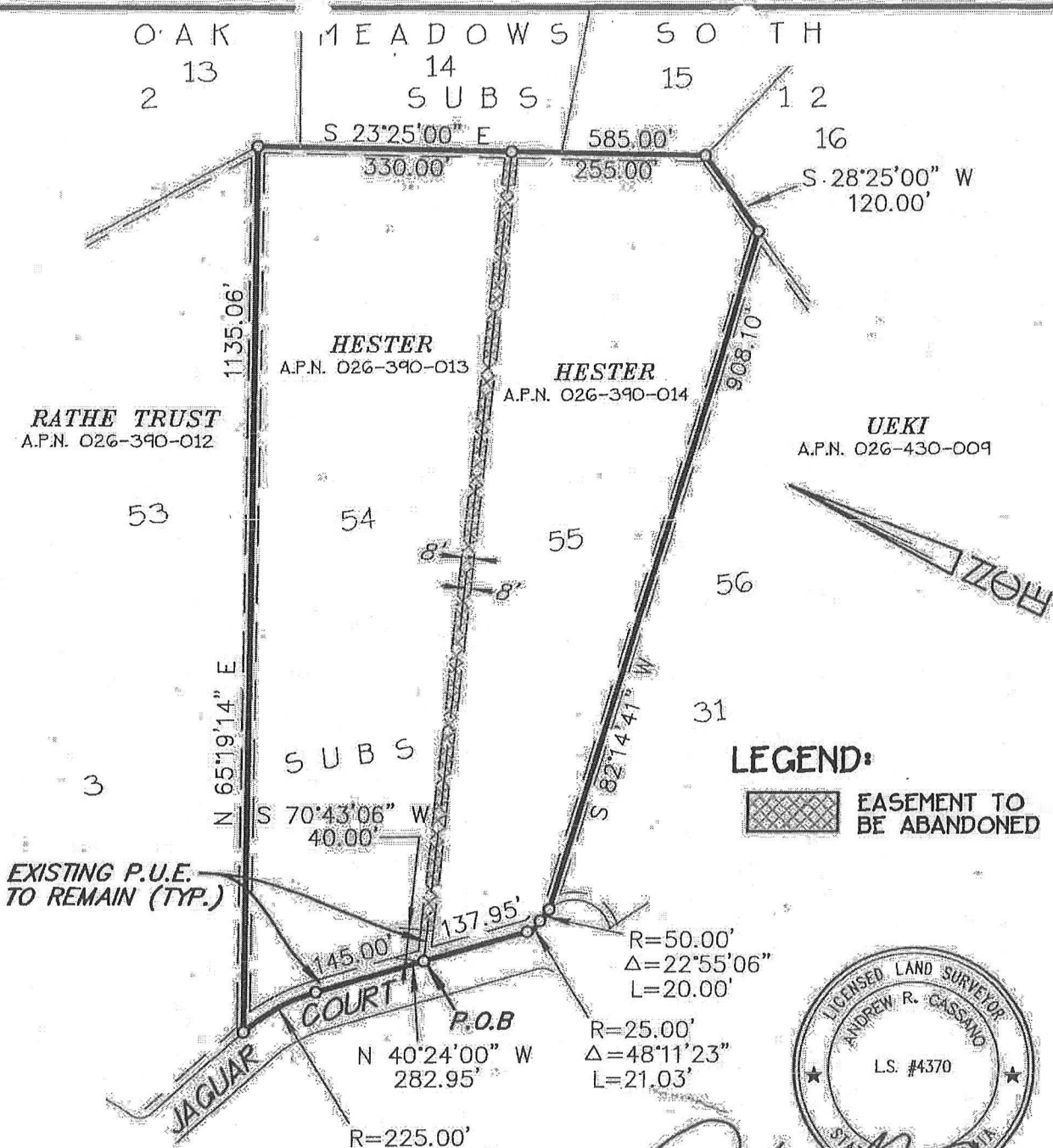


EXHIBIT "B"
EASEMENT ABANDONMENT
HESTER PROPERTY
 BEING LOTS 54 + 55 OF BOOK 3 SUBS PAGE 31
 PTN. SEC. 31 + 32 T.15 N., R.9 E., M.D.M.
 NEVADA COUNTY, CALIFORNIA

SCALE: 1" = 200' DECEMBER, 2018

NEVADA CITY ENGINEERING, INC.
 505 COYOTE STREET * P.O. BOX 1437 * NEVADA CITY * CALIFORNIA

18-089

RECORDING REQUESTED BY:

&

RETURN TO:

Board of Supervisors
County of Nevada
950 Maidu Avenue
Nevada City, CA 95959-8617

Nevada County Recorder

Gregory J. Diaz

Document#: 20190008992

Thursday May 16 2019, at 08:42:05 AM

Paid: \$0.00 CP

DOCUMENT TITLE

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RESOLUTION NO. 19-177

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THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION
(Govt. Code 27361.6)

Additional Recording Fee Applies



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Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: Julie Patterson Hunter

Richard Anderson

Richard Anderson, Chair

5/14/2019 cc:

Recorder(1)
AC* (hold)

The foregoing instrument is a correct
copy of the original on file in this office.

Res 19-177

ATTEST: May 15, 2019
Julie Patterson Hunter, Clerk of the Board
County of Nevada

BY: B. P. Hunter

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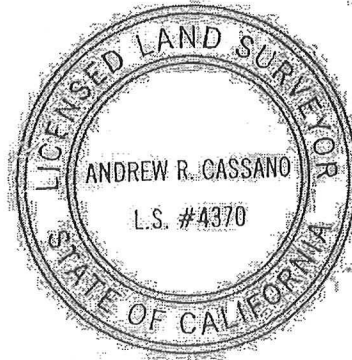
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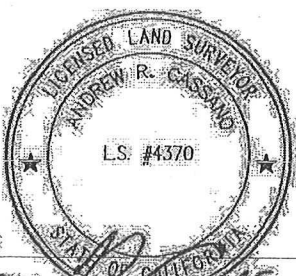
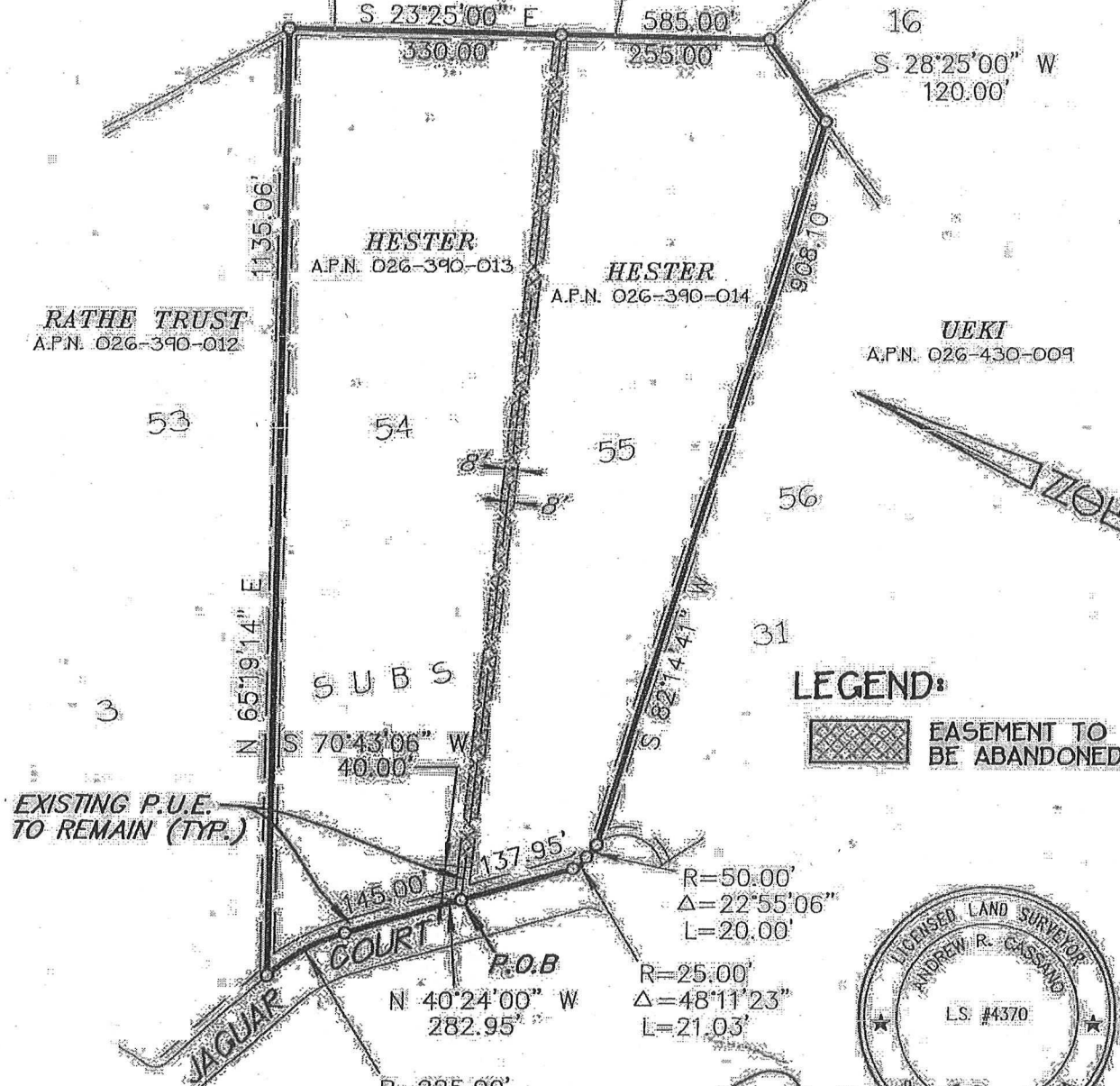


Andrew R. Cassano, PLS 4370
Professional Land Surveyor
Nevada City Engineering, Inc.

Dated: December 11, 2018



OAK MEADOWS SOUTH
13 14 15
2 SUBS. 12



Andrew R. Cassano

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